

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s):

Zucherman et al.

SC/Serial No.:

09/473,173

Filed:

December 28, 1999

Title:

SPINE DISTRACTION IMPLANT

PATENT APPLICATION

Art Unit: 3731

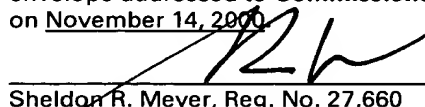
Examiner: Reip, D.

Batch No.: T14

Customer No. 23910

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to **Commissioner for Patents, Washington, DC 20231**, on November 14, 2000.


Sheldon R. Meyer, Reg. No. 27,660
Signature Date: November 14, 2000

(Attorney Signature)

TRANSMITTAL LETTER RE: ISSUE FEE TRANSMITTAL

Commissioner for Patents
Washington, DC 20231

Sir:

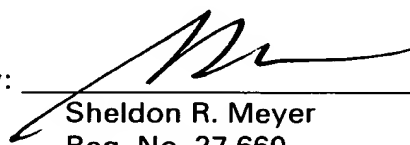
Submitted herewith is the Issue Fee Transmittal and the Issue Fee for the above case. In reviewing the file, Applicant notes that the original transmittal letter dated December 28, 1999 inadvertently listed on the bottom of page 1 the inventors as being James F. Zucherman, Ken Y Hsu, T. Wade Fallen, and Henry A. Klyce. In fact the application transmitted with the transmittal letter correctly listed the inventors as James F. Zucherman, Ken Y. Hsu, Charles J. Winslow, and Henry A. Klyce. The application transmitted with the transmittal letter was the parent application which was originally filed as U.S. Patent Application No. 09/179,570 on October 27, 1998. For this

parent application, the inventors are the same as in the present case. That is in the parent application, the inventors are James F. Zucherman, Ken Y. Hsu, Charles W. Winslow and Henry A. Klyce. The claim of priority that is listed in Applicant's Supplemental Amendment filed February 29, 2000 and as verified by the Examiner (as attached to the above-indicated Notice of Allowance) is correct.

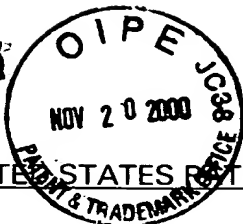
Issuance of a patent for the above application is requested.

Respectfully submitted,

Date: 11/14/2000

By: 
Sheldon R. Meyer
Reg. No. 27,660

FLIESLER, DUBB, MEYER & LOVEJOY LLP
Four Embarcadero Center, Suite 400
San Francisco, California 94111-4156
Telephone: (415) 362-3800



7 JAB TD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application) PATENT APPLICATION
Inventor(s): Zucherman, et al.)
SC/Serial No.: 09/473,173) Art Unit: 3731
Filed: December 28, 1999) Examiner: Reip, D.
Title: SPINE DISTRACTION IMPLANT) Batch No.: T14
) Notice of Allowance Mailing Date:
) October 2, 2000
)
) **Customer No. 23910**

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to **Official Draftsman, Commissioner for Patents, Washington, DC 20231**, on November 14, 2000.

Sheldon R. Meyer, Reg. No. 27,660
Signature Date: November 14, 2000

(Attorney Signature)

SUBMISSION OF FORMAL DRAWINGS TRANSMITTAL LETTER

Official Draftsman
Commissioner for Patents
Washington, DC 20231

Sir:

Enclosed are 72 sheets of formal drawings for the above-identified patent application.

Subject to the Examiner's approval, please substitute the enclosed drawings for the drawings previously submitted.

Respectfully submitted,

Date:

11/14/2000

By:

Sheldon R. Meyer
Reg. No. 27,660

FLIESLER, DUBB, MEYER & LOVEJOY LLP
Four Embarcadero Center, Suite 400
San Francisco, California 94111-4156
Telephone (415) 362-3800